Public Procurement and Disposal of Public Property (Simplified Procurement) Regulations, 2024

PRESENTATION TO PUBLIC BODIES

May 09, 2024

These Regulations :

Are intended to simplify the procurement process for procurements of a lower value – not exceeding $1M (incl. of taxes, duties and other charges)

- Define emergency
- Institute 2 thresholds for public bodies – (i) Micro Procurements (ii) Small Scale Procurements
- Reduce time limit for making submissions
- Define the roles of the NPO and AO or delegated persons
- Require the registration of suppliers/contractors
- Provide for direct contracting
- Reinforce Splitting of Procurement as an offence
- Establish Reporting Requirements

And much more……

Simplified Procurements in Context

Public Procurement Regulated by the OPR in accordance with the PPDPP Act, 2015

Simplified Regulations, Handbook with Guidelines for Simplified Procurements to be Issued by the OPR

Simplified Procurements ≤ $ 1Million

- Micro Procurements ≤ $ 75,000
- Small Scale Procurements > $ 75,000 ≤ $1 Million

Procurements > $ 1Million

10 Regulations, Handbooks with Guidelines issued by the OPR

What is Mandatory ….

- Adherence to the Objects of the Act

  transparency, accountability, integrity, value for money, efficiency, fairness equity, public confidence, local industry development, sustainable procurement and sustainable development
- Regulatory Oversight by the OPR
- Incorporation of all stages of the procurement proceedings as far as is practicable
- Reporting to the OPR
- Maintaining records of procurement proceedings

What is Not Required ….

- Review by the PDAC
- Application of a standstill period
- Public Notice of Awards …… instead all Bidders to be advised

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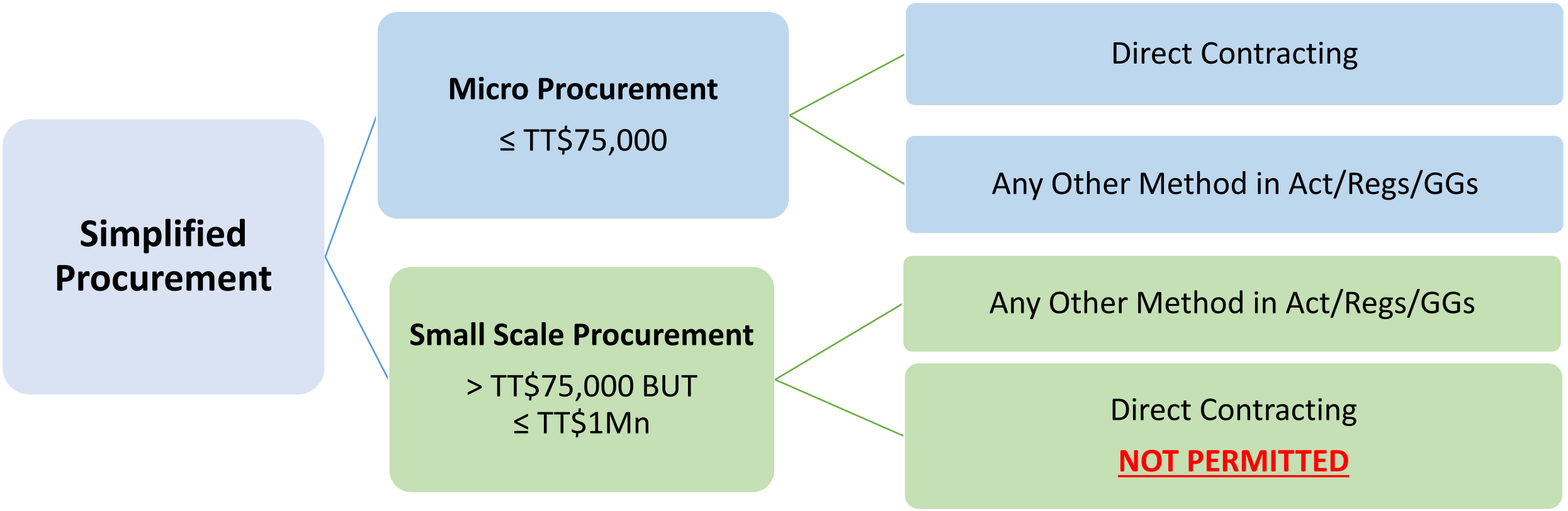
A Simplified Procurement not carried out in accordance with these Regulations and any procurement contract or agreement for a simplified procurement not entered into in accordance with these Regulations is **VOID and ILLEGAL.**

A procuring entity shall not issue a solicitation based on personal preferences and shall not restrict a solicitation to well known suppliers or contractors or widely distributed brands.

Simplified Procurement – Procurement Methods



Simplified Procurement – Time Limits for Making Submissions

Method/Procedure	Time Limit
Open Bidding	No fewer than 10 working days from publication of procurement notice
Limited Bidding	No fewer than 7 working days from issuance of solicitation document
Request for Quotations	No fewer than 2 working days from issuance of solicitation document
Single Source	No fewer than 5 working days from issuance of solicitation document
Sole Source	No fewer than 5 working days from issuance of solicitation document

Checklist – Micro vs Small-Scale

	Micro Procurement	Small-scale Procurement
Threshold	**≤ $75,000** (Inclusive of applicable taxes, duties, charges)	**>$75,000 ≤ $1M** (inclusive of applicable taxes, duties, charges)
Annual Procurement Plan (APP)	✓	✓
Included in the Annual Schedule of Planned Procurement Activities (Schedule/ASPPA)	✗	✓
Review by Procurement and Disposal Advisory Committee (PDAC)	✗	✗
Requirement of standstill period	✗	✗
Requirement of public notice to award	✗	✗
Must inform each participating supplier or contractor	✗	✓

Checklist – Micro vs Small-scale

	Micro Procurement	Small-scale Procurement
Threshold	**≤ $75,000** (Inclusive of applicable taxes, duties, charges)	**>$75,000 ≤ $1M** (inclusive of applicable taxes, duties, charges)
Verbal quotation may be utilised	✓	✗
Direct contracting may be used	✓	✗
Suppliers or contractors to be solicited, where applicable, from the procuring entity's Registry	✓	✗
Suppliers or contractors to be solicited, where applicable, from the Procurement Depository	✗	✓
Quarterly reporting to OPR required	✓	✓

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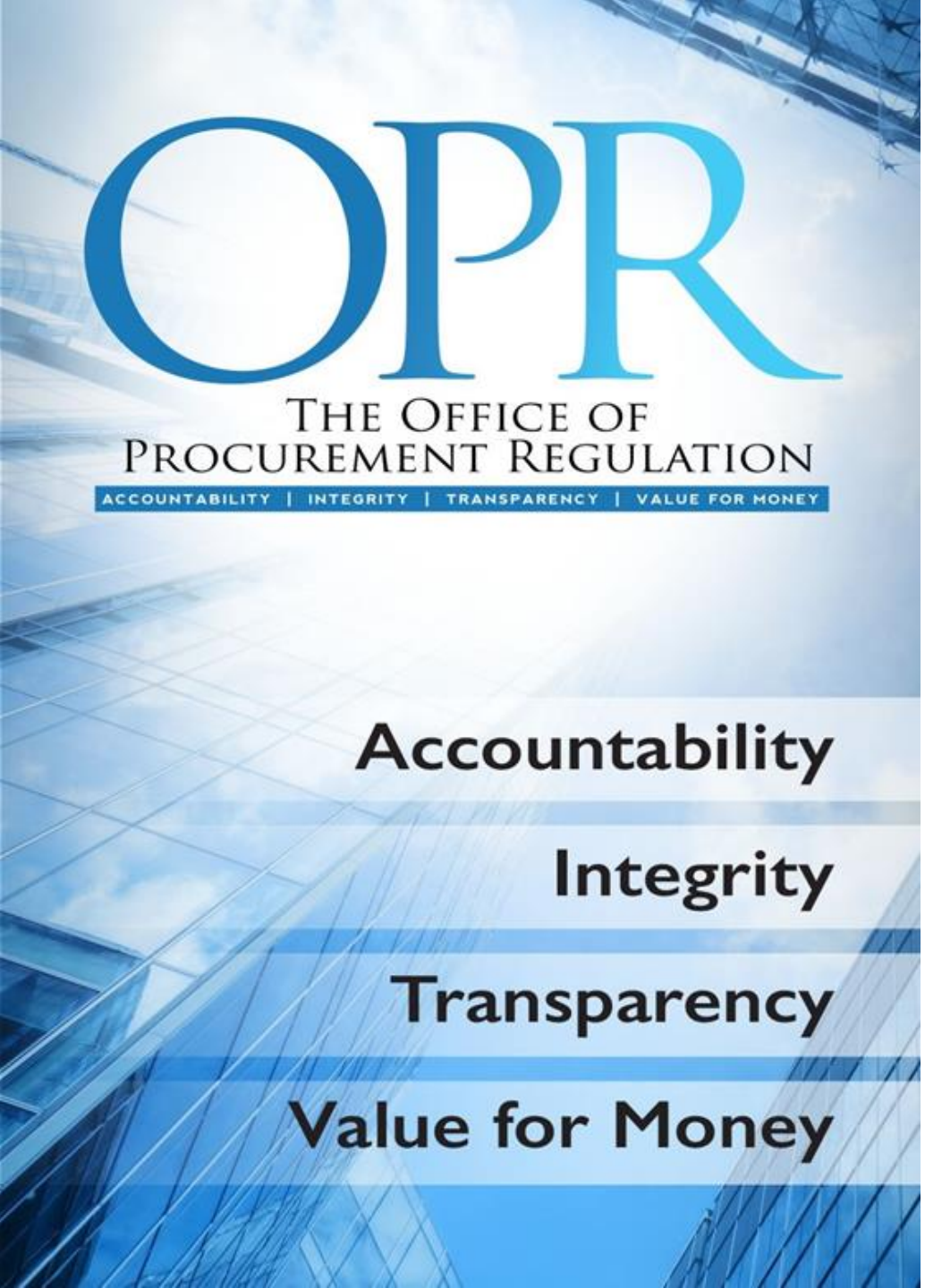
QUESTION & ANSWER SEGMENT



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